



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

JUN 03 2016

Mr. Robert Sylvia, President
Hudson Lock LLC
81 Apsley Street
Hudson, MA 01749

Re: **NOTICE OF VIOLATION** of the applicable Generators Standards of Hazardous Waste, Section 3002 of the Resource Conservation and Recovery Act of 1976 (RCRA), and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S. § 6622(a) and 6924(d) through (m), and the Commonwealth of Massachusetts - Hazardous Waste Regulations (310 CMR 30.00 through 30.1103)

Dear Mr. Sylvia:

On March 24, 2016, the United States Environmental Protection Agency (EPA) conducted a Compliance Evaluation Inspection at Hudson Lock, LLC (Hudson Lock) in Hudson, Massachusetts. The purpose of this inspection was to determine the compliance of Hudson Lock, EPA ID No. MAD001003474, with the Commonwealth of Massachusetts - Department of Environmental Protection - Hazardous Waste Regulations (310 CMR 30.00 through 30.1103) and Federal Hazardous Waste Management Regulations found at 40 CFR Part 260-272. The Commonwealth of Massachusetts has been granted final authorization by EPA to administer certain portions of RCRA.

As a result of the inspection, EPA has determined that your facility violated certain provisions of the Hazardous Waste Regulations and the RCRA regulations promulgated at 40 CFR Part 260 through Part 272. The specific violations are set forth below:

1. Failure to manage universal waste mercury-containing lamps in a way that prevents release of universal waste into the environment, as required by 310 CMR 30.1034(5)(a).

At the time of the inspection, the south wall of the basement contained unsorted equipment and other items. Among these were lightbulbs, at least one of which was a fluorescent bulb. The bulb was not in used, and was not being managed as a universal waste.

2. Failure to test and maintain alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, as necessary, as required by 310 CMR 30.351(9)(d).

At the time of the inspection, the facility had no record of any testing or maintenance being performed on emergency response equipment.

3. Failure to determine if a waste is a hazardous waste, as required by 310 CMR 30.351(10)(b), which references 310 CMR 30.302.

At the time of the inspection, the following items were stored in the basement of the facility with no apparent intended use:

- 1) Two SPRAYTEC Quick Penetrating Oil Aerosol Cans.
- 2) One SPRAYTEC Anti-Static Spray Aerosol Can.
- 3) Two five-gallon containers of Air Conditioning Treatment.
- 4) One five-gallon container of Microbicide #61.

A waste determination had not been performed on any of the above listed items. None of them were being managed as waste.

4. Failure to make and keep records of arrangements to familiarize local emergency responders concerning the layout of the facility, properties of hazardous waste handled at the site, hazards associated with such wastes, places where personnel at the site would normally be working, entrances to and roads inside the site, and possible evacuation routes, as required by 310 CMR 30.351(9)(j) and 30.351(9)(k).

At the time of the inspection, the facility did not have any records of arrangements made with local emergency responders to familiarize them with the operations and layout of the facility.

5. Failure to conduct at least weekly inspections of areas where hazardous waste containers are stored, as required by 310 CMR 30.351(8)(b), which references 310 CMR 30.342(d) and 310 CMR 30.686.

The facility provided hazardous waste storage area inspection records dating back to 2013. While the inspections were routinely conducted, the period of time between inspections was often greater than seven days. Additionally, no inspections were performed or documented for the satellite accumulation area in the metal stock storage room.

6. Failure to properly train personnel to perform their duties relating to hazardous waste handling practices and emergency procedures, as required by 310 CMR 30.351(9)(g).

At the time of the inspection, Hudson Lock was unable to provide any proof of training concerning hazardous waste management for employees whose responsibilities include the management of hazardous waste.

7. Failure to retain copies of land disposal restriction notifications for hazardous waste shipped off site, as required by 310 CMR 30.351(10)(h), which references 310 CMR 30.750, which incorporates by reference CFR 268.7.

At the time of the inspection, multiple hazardous waste manifests did not have corresponding copies of the land disposal restriction notifications for the waste being shipped.

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8. Failure to retain copy three of the hazardous waste manifest (EPA form 8700-22), as required by 310 CMR 30.351(10)(e), which references 310 CMR 30.313(4)(a).

At the time of the inspection, multiple manifests were missing the copy of the manifest with a signature confirming receipt from the destination facility (copy three of the six-part manifest).

Immediately upon receipt of this NOTICE:

Hudson Lock must address the requirements set forth above and must immediately begin and continue to operate in compliance with all applicable Federal and State regulations.


Within (30) thirty calendar days of receipt of this NOTICE, submit a written description, with supporting documentation, of the actions taken to address the violations described above.

Submit the information to:

Susann D. Nachmann, Environmental Engineer
U.S. Environmental Protection Agency
Office of Environmental Stewardship (OES05-4)
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912

Failure to correct the violations as required by this NOTICE may subject the Facility to further Federal enforcement action, including the assessment of penalties, pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928. If you have any questions regarding this NOTICE, please contact Susann D. Nachmann, of my staff, at (617) 918-1871.

Sincerely,


Mary Jane O'Donnell, Manager
RCRA, EPCRA & Federal Programs Unit

cc. Giles Steele-Perkins, Mass DEP
Susann D. Nachmann, EPA